

**SCHULTE ROTH & ZABEL LLP**

919 Third Avenue  
New York, NY 10022  
(212) 756-2000  
fax (212) 598-5955

www.srz.com

**F A C S I M I L E**  
**PLEASE DISTRIBUTE TO ALL LISTED PERSONS**

To	Company	Fax No.	Confirmation N .
Examiner Pedro Kanof	Art Unit 3628	(703) 872-9327 <b>305 7687</b>	(703) 308-9552

<b>FROM:</b>	David E. Boundy	<b>DATE:</b>	June 3, 2003
<b>DIRECT DIAL:</b>	(212) 756-2522	<b>Number of Pages:</b>	<b>17</b>
<b>FILE NO.:</b>	57634.03		

Applicant(s): Douglas G. Lowenstein, et al.

Serial No.: 09/611,548

Art Unit: 3628

Filed: July 7, 2000

Examiner: Pedro Kanof

Title: FINANCING OF TENANT IMPROVEMENTS

## AFTER FINAL – EXPEDITED PROCEDURE

I hereby certify that the attached

- This FAX cover sheet
- Resubmission of Papers of April 29, 2003
- Certificate of Mailing (originally filed April 29, 2003)
- Response to Advisory Action of April 14, 2003 (originally filed April 29, 2003)
- Information Disclosure Statement and Form PTO-1449 (originally filed April 29, 2003)
- Front pages of 7 references (originally filed April 29, 2003)

along with any paper(s) referred to as being attached or enclosed) are being transmitted by facsimile on June 3, 2003 to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 3, 2003

By: 

David E. Boundy

Registration No. 36,461

THE INFORMATION CONTAINED IN THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

*For incomplete transmission please call (212) 756-2000 ext.6076*

9445292.1

PATENT

Attorney Docket No. 57634.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Douglas G. Lowenstein, et al.  
Serial No.: 09/611,548 Art Unit: 3628  
Filed: July 7, 2000 Examiner: Pedro Kanof  
Title: FINANCING OF TENANT IMPROVEMENTS

CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

COMMISSIONER FOR PATENTS

Box AF  
Washington, D.C. 20231

I hereby certify that the attached

- Return postcard
- This Certificate of Mailing
- Response to Advisory Action of April 14, 2003
- Information Disclosure Statement and Form PTO-1449
- 7 documents

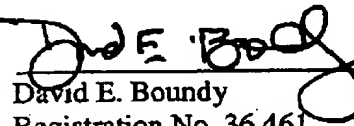
along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, Box AF, Washington, D.C. 20231.

Respectfully submitted,

SCHULTE ROTH & ZABEL, LLP

Dated: April 29, 2003

By:

  
David E. Boundy  
Registration No. 36,461

Mailing Address:  
SCHULTE ROTH & ZABEL, LLP  
919 Third Avenue  
New York, New York 10022  
(212) 756-2000  
(212) 593-5955 Telecopier

CERTIFICATE OF MAILING  
9420347.1

09/611,548

PATENT

DOCKET NO. 57634.3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit: 3628

Examiner: Pedro Kanof

Serial No.: 09/611,548

Filed: July 7, 2000

Applicant(s): Douglas G. Lowenstein, et al.

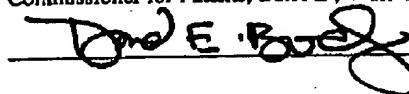
Title: FINANCING OF TENANT IMPROVEMENTS

COMMISSIONER FOR PATENTS

Box AF

Washington D.C. 20231

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on April 29, 2003 as First Class Mail in an envelope with sufficient postage addressed to The Commissioner for Patents, Box AF, Washington D.C. 20231.

**AFTER FINAL – EXPEDITED PROCEDURE****RESPONSE TO ADVISORY ACTION OF APRIL 14, 2003**

This paper responds to the Advisory Action of April 14, 2003. This paper is filed within the original shortened statutory period set in the Office Action of January 29, 2003.

Applicant thanks Examiner Kanof and Supervisory Examiner Sough for an extensive telephone interview of April 14, 2003. The telephonic interview largely paralleled the topics discussed in Applicant's papers of March 31, 2003. In the course of that telephonic interview, it was agreed that finality of the Office Action of January 29, 2003 was withdrawn, and that the rejections of January 29, 2003 would be reconsidered. Applicant requests an acknowledgement indicating that the papers of March 31, 2003 will be entered, and that no further response is necessary to prevent abandonment.

In view of the amendments and remarks, Applicant respectfully submits that the claims are in condition for allowance. Applicant requests that the application be passed to issue in due course. The Examiner is urged to telephone Applicant's undersigned counsel at the number noted below if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is

Application Serial No. 09/611,548  
Attorney Docket No. 57634.3

required, Applicant petitions for that extension of time required to make this response timely.  
Kindly charge any additional fee, or credit any surplus, to Deposit Account 50-0675, Order No.  
57634.3.

Respectfully submitted,

SCHULTE ROTH & ZABEL, LLP

Dated: April 29, 2003

By:

  
David E. Boundy

Registration No. 36,461

Mailing Address:  
SCHULTE ROTH & ZABEL, LLP  
919 Third Avenue  
New York, New York 10022  
(212) 756-2000  
(212) 593-5955 Telecopier